

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JO ALLEN GIOIA	:	CIVIL ACTION
Plaintiff,	:	
	:	
vs.	:	NO. 08-3832
	:	
MICHAEL J. ASTRUE, COMMISSIONER OF	:	
SOCIAL SECURITY ADMINISTRATION,	:	
Defendant.	:	

ORDER

AND NOW, this 30th day of July, 2009, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review and defendant's Response to Request for Review of Plaintiff, and after review of the Report and Recommendation of Chief United States Magistrate Judge Thomas J. Rueter dated June 19, 2009, **IT IS ORDERED** as follows:

1. The Report and Recommendation of Chief United States Magistrate Judge Thomas J. Rueter dated June 19, 2009, is **APPROVED** and **ADOPTED**; and,
2. Plaintiff's Request for Review is **GRANTED**, and the decision of the Commissioner of the Social Security Administration is **REVERSED** to the extent that the matter is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation of Chief United States Magistrate Judge Thomas J. Rueter dated June 19, 2009.

BY THE COURT:

/s/ **Jan E. DuBois**

JAN E. DUBOIS, J.